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FILE NO. AP33001-070457.0972

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RemarksSummary of Office Action

Claims 1-10 were pending.

Claims 1 and 3 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Paltenghe U.S. Patent Application Publication No. 2002/0004783 ("Paltenghe"). Claims 2 and 4-10 have been rejected under 35 U.S.C. § 103(a) as being obvious from Paltenghe in view of Chaum et al. U.S. Patent Serial No. 6,434,238 ("Chaum").

Further, claims 1-6, 8 and 10 are rejected under 35 § 112, first paragraph.

Applicant's Reply

Applicant traverses the indefinites and the prior art rejections.

§ 112 rejection.

Applicant has amended independent claims 1 and 8 to delete "~~and in a manner that is~~". Further, applicant has amended independent claims 1, 3, 6, and 8 to recite "so that the transaction can be accomplished for the payment card seamlessly whether the payment card is a chip card issued by an issuer institution having infrastructure to support chip card transactions or a non-chip card issued by an issuer institution having legacy infrastructure supporting only non-chip card transactions."

Applicant submits that this language clears up the confusion (kindly noted by the Examiner) of the possible combinations of chip/non chip payment cards and chip/non-chip infrastructures, caused by the previous language. Applicants submit that this language conforms to the dual chip/non-chip card use and the seamless integration of legacy non-chip based

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payment card and the newer chip based payment card infrastructures, which is supported by the specification. Claims 1-10 now conform to all requirements of § 112.

Prior art rejections

With respect to the § 102(e) and § 103(a) prior art rejections, applicant resubmit their Remarks presented in the earlier Reply mailed August 28, 2006. For brevity, those remarks are not reproduced, but incorporated by reference herein. Applicants request that the Examiner should kindly reconsider those Remarks.

Applicant submits that in view of the previously presented Remarks, claims 1-10 are patentable over the cited references.

Conclusion

This application is now in condition for allowance. Reconsideration and prompt allowance of which are requested. If there are any remaining issues to be resolved, applicant respectfully requests the Examiner to kindly contact the undersigned attorney by telephone for an interview.

Respectfully submitted,
BAKER BOTTS L.L.P.



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